

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2006, And to Reflect That Increase in Rates.

Application 04-12-014  
(Filed December 21, 2004)

Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company.

Investigation 05-05-024  
(Filed May 26, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING  
GRANTING SOUTHERN CALIFORNIA EDISON COMPANY'S  
MOTION FOR RECEIPT IN EVIDENCE OF LATE-FILED EXHIBIT**

On August 24, 2005, Southern California Edison Company (SCE) filed a motion for receipt in evidence of a Memorandum of Understanding (MOU) executed on August 13, 2005 by SCE and the Commission's Consumer Protection and Safety Division (CPSD). The MOU addresses a refined priority maintenance system for correcting violations of General Orders 95 and 128. SCE's motion also requests a ruling be issued at the earliest opportunity, so that parties wishing may comment on the MOU in reply briefs due on September 2, 2005. Due to the time sensitive nature of SCE's motion, an Administrative Law Judge Ruling dated August 26, 2005 shortened the time for responses to August 29, 2005. There were no responses to the motion.

## **Discussion**

As part of its application, SCE requested ratepayer funding for a six-year program of accelerated repair of overhead and underground lines, dealing specifically with items falling within Priority 5 (P5), the lowest priority within SCE's current line maintenance program. SCE believes that Decision (D.) 04-04-065 could be interpreted to require that P5 items be scheduled for repair on a date-certain basis. SCE's GRC proposal would allow SCE to catch up on the backlog of P5 items and thereafter continue repairing P5 items on a date-certain basis. SCE estimated the annual expense to be \$40.8 million.

Since May 28, 2004, management representatives and staff of CPSD and SCE have worked together in compliance with the Commission's directives in D.04-04-065 and have thus far agreed on a set of principles governing a refined priority maintenance system for correcting violations of General Orders 95 and 128. Those principles, as set forth in the MOU, would have SCE continue its current opportunity maintenance practice for correction of P5 items until such time as the Commission reviews, approves and authorizes funding for a revised maintenance program to be proposed in SCE's next GRC.<sup>1</sup>

Although CPSD is not a party to this GRC, it is – in effect – a real party in interest, as the Commission division responsible for enforcing the General Orders in question. Their view as to how P5 maintenance should be performed during the period SCE and CPSD are continuing their collaborative effort in compliance with D.04-04-065, is material to a major issue in this GRC, and should be given appropriate weight.

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<sup>1</sup> Consistent with these MOU principles, SCE has revised its primary recommendation regarding P5 maintenance for the current GRC.

SCE's request that the MOU be received in evidence as a late-filed exhibit will clarify and supplement the record, is unopposed and should be granted.

**IT IS RULED** that the Memorandum of Understanding executed on August 13, 2005, by Southern California Edison Company and the Commission's Consumer Protection and Safety Division is identified as Late-Filed Exhibit 166 and is received in evidence

Dated August 30, 2005, at San Francisco, California.

/s/ DAVID K. FUKUTOME  
David K. Fukutome  
Administrative Law Judge

## **CERTIFICATE OF SERVICE**

I certify that I have by mail, and by electronic mail to the parties for whom an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Southern California Edison Company's Motion for Receipt in Evidence of Late-Filed Exhibit on all parties of record in this proceeding or their attorneys of record.

Dated August 30, 2005, at San Francisco, California.

/s/ FANNIE SID

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Fannie Sid

## **N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.